

GOVERNMENT OF TELANGANA
ABSTRACT

Mines and Minerals - Transfer of Mining Lease held by M/s.Trimex Industries Limited for Quartz and Feldspar over an extent of Acre 32.00 in Sy.No.22 of Cheepununthala Village, Talakondapalli Mandal, Mahabubnagar District in favour of M/s.Srimex Mines & Minerals for the unexpired portion of the mining lease period i.e. upto 22.02.2016 under Rule 37 of Mineral Concession Rules, 1960 - Permission - Accorded - Orders - Issued.

INDUSTRIES AND COMMERCE (MINES-II) DEPARTMENT

G.O.MS.No. 27.

Dated:27-11-2014.

Read the following:-

1. G.O.Ms.No.204, Industries & Commerce (M.I) Department, dated: 19.07.2005.
2. From the Director of Mines & Geology, Hyderabad, File No.43457/R2-3/2014.

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ORDER:-

In the reference 1st read above, Government have accorded permission to Sri T.Ashok Kumar for transfer of the Mining Lease held by him for Quartz and Feldspar over an extent of 32.00 Acres in Sy.No.22 of Cheepununthala Village, Talakondapalli Mandal, Mahabubnagar District in favour of M/s.Trimex Industries Limited for the un-expired portion of the lease period upto 22-02-2016.

2. In the reference 2nd read above, the Director of Mines & Geology, Hyderabad has reported that the lessee M/s Trimex Industries Limited have filed an application on 18-08-2009 for transfer of Mining Lease held by them for Quartz & Feldspar over an extent of Acre 32.00 in Sy.No.22 of Cheepununthala Village, Talakondapalli Mandal, Mahabubnagar District in favour of M/s Srimex Mines & Minerals for the un-expired portion of the Mining Lease period i.e., up to 22.02.2016, stating that they are unable to operate the Mining Lease due to financial problems and also stating that an amount of Rs.2.00 lakhs was received from the transferee M/s Srimex Mines & Minerals towards Mining development charges for consideration of amount.

3. The Director of Mines & Geology, Hyderabad has further stated that the Divisional Forest Officer, Mahabubnagar vide letter Rc.No.611/S3/2006, dated 22.06.2006 has informed that M/s Trimex Industries Limited have encroached into the forest area and illegally conducting mining operations and excavating Quartz & Feldspar mineral from the Reserved Forest and requested for cancellation of the mining lease. Against which, M/s Trimex Industries Limited have filed W.P.No.13524/2006 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court disposed the said Writ Petition on 21.12.2006 with a direction to the Divisional Forest Officer, Mahabubnagar to conduct joint survey in the presence of officials of the Forest Department, Revenue Department as well as Mines & Geology Department with a prior notice to the petitioner i.e. M/s Trimex Industries Limited and to demarcate the boundaries of Acres 32.00 of land in Sy.No.22 and till such time the lessee shall not carry on mining operations in the disputed lease. Subsequently, the D.F.O, Mahabubnagar in his letter dated 12.03.2007 has informed that as per the orders passed by Hon'ble High Court of A.P on 21.12.2006, they have conducted joint inspection of Sy.No.22 of Cheepununthala Village and also the disputed area of Padkal Forest Block on 27.02.2007 in the presence of ADM&G, Mahabubnagar, the Mandal Revenue Officer, Talakondapally, the Forest Range Officer, Amangal, the Inspector of Survey (S&LR), Mahabubnagar and Sri Y.V.Sanjay Das, Geologist of M/s Trimex Industries Limited. The F.R.O, Amangal surveyed the total area of Sy.No.22, as per which it comes to 38.00 Acres. The area leased to M/s Trimex Industries Limited is 32.00 Acres only. Due to incorrect survey, the Reserve Forest boundaries of Padkal block were altered/shifted and 6.00 Acres of forest area included in the mining area. Panchanama was recorded for not to continue mining till the boundary issue is settled.

4. The Director of Mines & Geology, Hyderabad has also reported that the Hon'ble High Court of A.P in W.P.M.P.No.7707/07 in W.P.No.6030/2007 filed by M/s Trimex Industries Limited has passed interim orders on 10.04.2007 directing that it shall be open to the petitioner to carry on the mining operations in undisputed area, which in turn shall be outside the Reserve Forest area, marked by D.F.O, Mahabubnagar and also directing the ADM&G, Mahabubnagar to issue dispatch permits in respect of such mineral that is extracted from the undisputed area. Subsequently, the Hon'ble High Court of A.P while disposing off the said W.P.No.6030/2007 on 29.01.2014 has opined that the report of the Inspector of Survey & Land Records along with the Panchanama dated 27.02.2007 indicates that no survey was conclusively held in pursuance of the orders dated 21.12.2006 passed in W.P.No.13524/2006

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and ordered that the interim order granted on 10.04.2007 shall continue till the conclusion of the joint survey.

5. The Director of Mines & Geology has further stated that the transferee M/s Srimex Mines & Minerals has given an undertaking on the notarized affidavit stating that he will not conduct mining operations in the disputed area till the dispute between Forest and Revenue Departments is resolved. Further, the transferee vide affidavit dated 17.08.2009 has also given an undertaking to pay the Mineral Revenue dues if any found to be payable to the Government in future. The Director of Mines & Geology has informed that no speculation is involved in the transfer of mining lease.

6. The Director of Mines & Geology, Hyderabad has therefore, requested the Government to accord permission for transfer of Mining Lease held by M/s Trimex Industries Limited for Quartz & Feldspar over an extent of Ac 32.00 Gts in Sy.No.22 of Cheepununthala Village, Talakondapally Mandal, Mahabubnagar District in favour of M/s Srimex Mines and Minerals as per Rule 37 of M.C.Rules 1960 for the un-expired portion of the lease period i.e. upto 22.02.2016 as per Rule 37 of Mineral Concession Rules, 1960, subject to outcome of the joint inspection report and also submission of Environmental Clearance from MoEF, Govt.of India and Consent for Establishment/Consent for Operations from State Pollution Control Board within three (3) months from the execution of the transfer deed by the transferee and subject to the satisfaction of Mines & Minerals (D&R) Act, 1957 and Mineral Concession Rules, 1960.

7. Government, after careful examination of the matter, hereby accord permission for transfer of Mining Lease held by M/s.Trimex Industries Limited for Quartz and Feldspar over an extent of Acre 32.00 in Sy.No.22 of Cheepununthala Village, Talakondapalli Mandal, Mahabubnagar District in favour of M/s.Srimex Mines & Minerals for the unexpired portion of the mining lease period i.e., upto 22.02.2016 as per Rule 37 of Mineral Concession Rules, 1960, subject to outcome of the joint inspection report and also submission of Environmental Clearance from MoEF, Govt.of India and Consent for Establishment/Consent for Operations from State Pollution Control Board within three (3) months from the execution of the transfer deed by the transferee and subject to the satisfaction of Mines & Minerals (D&R) Act, 1957 and Mineral Concession Rules, 1960.

8. The transfer of lease deed should be executed within three months from the date of this order as stipulated in Rule 37-A of Mineral Concession Rules, 1960 and both the transferor and transferee should pay all mineral revenue dues to the Government till the date of transfer, before execution of the transfer lease deed. The transferee is liable to pay the liabilities of transferor, if any, even after execution of transfer lease deed.

9. The Director of Mines and Geology, Hyderabad shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

K. PRADEEP CHANDRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT & CIP

To
M/s Trimex Industries Limited,
Sri P. Ganganath Babu,
15, Road No.1 Site II,
Filmnagar, Jubilee Hills,
Hyderabad. **(BY RPAD).**

M/s Srimex Mines & Minerals,
Prop Sri B. Janga Reddy,
H.No.9-7-120/1, Maruthi Nagar,
Champapet, Hyderabad **(BY RPAD).**

The Director of Mines and Geology, Hyderabad **[with File].**

Copy to:-

The Zonal Joint Director of Mines & Geology, Hyderabad.

The Asst. Director of Mines and Geology, Mahabubnagar.

The Secretary to Government of India, Ministry of Mines, Shastri Bhavan, New Delhi-110 001.

The Controller General, Indian Bureau of Mines, "A" Block, 2nd Floor, Indira Bhavan, Civil Lines,
Nagpur- 440 001.

The Director General, Mines Safety, Dhanbad, Jarkhand State.

The Regional Controller of Mines, Koti, Hyderabad.

SF/SC (File No.5112/M.II(1)/2013)

//FORWARDED::By ORDER//

SECTION OFFICER